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ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/18/08

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Gregory Brown

July 17, 2008

**VIA FACSIMILE
(212) 805-7941**

Hon. Loretta A. Preska
United States District Court
500 Pearl Street
Room 1320
New York, New York 10007

Re: John Cerasuolo Co., Inc. v. Plo Enterprises, Inc.; Index No. 08cv5334

Honorable Madam:

Pursuant to plaintiff's letter to the Court dated June 27, 2008, endorsed by your Honor on June 29, 2008, which adjourned the above-referenced matter until July 16, 2008, counsel for all parties were in Court yesterday morning on plaintiff's motion for a preliminary injunction. Your deputy calendar clerk, Megan Philips, explained to plaintiff's attorney that this matter was not on the Court's calendar, and that your Honor had been called away for an emergency. Therefore, this matter was not heard.

Counsel for all parties had an opportunity to confer, and have agreed that the terms of the Stipulation and Agreed Order Establishing PACA Trust Claims Procedure, which is being circulated among counsel, will be finalized shortly. The Stipulation provides for the consolidation of defendant Plo Enterprises's assets for ultimate distribution to all existing PACA trust creditors. The parties shall submit to the Court a fully executed copy of the Stipulation for approval by your Honor on or before July 31, 2008. Assuming the Stipulation is approved by the Court, the parties respectfully request that a control date of September 9, 2008 be placed on the Court's calendar to ensure that the claims procedure is advancing in a manner advantageous to all parties.

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

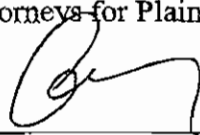
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Thank you for your attention to this matter.

Respectfully yours,
Law Offices of Bruce Levinson
Attorneys for Plaintiff

By:



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- and -

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By:

/s/ Leonard Kreinces

Leonard Kreinces

- and -

Gentile and Dickler, LLP
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By:

/s/ Paul Gentile

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